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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,298	03/25/2004	Salvatore Sabbatino	36040150 US-01	1499
7590	05/31/2006		EXAMINER	
Paul D. Greeley, Esq. Ohlandt, Greeley, Ruggiero & Perle, L.L.P. One Landmark Square, 10th Floor Stamford, CT 06901-2682			KIANNI, KAVEH C	
			ART UNIT	PAPER NUMBER
			2883	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/809,298

Applicant(s)

SABBATINO, SALVATORE

Examiner

Kianni C. Kaveh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3,4 and 6 is/are allowed.
- 6) ☒ Claim(s) 1,2, and 7-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Applicant's election without traverse of claims 1-9 in a paper submitted on 3/6/06 is acknowledged. The requirement is still deemed proper and is therefore made FINAL.

Applicant's canceling of claims 5 and 10-24 in the amendment/response submitted on 3/6/06 is acknowledged.

### ***Allowable Subject Matter***

Claims 3-4 are allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious a dielectric support board, wherein said electrical connection extends over said support board and said at least one electrical wire is arranged between said absorber body and said support board in combination with the rest of the limitations of the base claim.

Claim 6 is allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious a further optical subassembly and a further electrical connection between said electrical subassembly and said further optical subassembly, said further electrical connection including at least one further electrical lead, the arrangement including at least one further electrically non-conductive electromagnetic absorber body arranged to at least partly cover said at least one further electrical lead in combination with the rest of the limitations of the base claim.

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujieda et al. (US 2004/0146452).

Regarding claims 1, Fujieda teaches an arrangement (shown in at least fig. 11) including: an electrical subassembly (see at least 11), an optical subassembly (at least 13,5,9, 10; wherein item 10 is a laser diode emitting light) said electrical subassembly and said optical subassembly (at least 13,5,9, 10) having an associated electrical connection including at least one electrical wire extending therebetween (shown in at least fig. 11, item electrical wire extending from a laser driver circuit 11 to laser device 10, also wirings between optical elements such as between PD 19 and 20/18 and/or wirings between optical elements and main circuit board 14), and at least electrically non-conductive absorber body arranged to at least partly cover said at least one electrical wire (see at least abstract and parag. 0007, 0012 and 0070).

However, Fujieda does not specifically state that the above electrical wire(s) is/are electrical lead(s). It is obvious/well-known to those of ordinary skill in the art when the invention was made that electrical wire(s) for electrical connection and/or transmitting/receiving radio signals are/known-as electrical leads since such electrical

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configuration would provide optical transmission or reception, automated tollgate, and high frequency communication equipment (see parag. 00002).

Regarding claims 2, and 7-9, Fujieda further teaches wherein said electrical connection includes a wire frame comprising a plurality of said electrical wires, said absorber body arranged to extend over said wire frame (see at least fig. 11, item 11 and/or 18 and/or 14 each consisting of electrical wires, see also abstract and see also figures 5 and 10 and parag. 0058); wherein said electrical connection is a radio frequency electrical connection between said electrical Subassembly and said optical subassembly (shown in at least fig. 12, item 27/28, also at least abstract); wherein said absorber body is selected out of the group consisting of magnetically loaded, iron loaded, ferrite loaded or dielectrically loaded materials (at least parag. 0016-0017) and/or comprised of a material selected from the group consisting of silicon, urethane, vinyl plastic and silicon rubber (see at least parag. 0007); wherein said absorber body is in the form of a sheet material (see at least figures 5-6 item absorption sheet 1).

### ***Response to Arguments and Amendment***

Applicant's argument filed on 3/6/06 have been fully considered but they are not persuasive.

Applicant alleges (pages 7-8) that Fujieda et al. does not teach electrically non-conductive absorber body arranged to at least partly cover said at least one electrical

wire. The Examiner responds that indeed such limitation is taught by Fujieda et al. (see at least parag. 0012), and further citing such limitation is widely conventional (see at least parag. 0007).

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- The examiner kindly advises the applicant to appropriately narrow the scope of the base claim in order to allow the case.

***THIS ACTION IS MADE FINAL***

This action in response to applicant's amendment made FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Cyrus Kianni whose telephone number is (571) 272-2417.

The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 6:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font, can be reached at (571) 272-2415.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9306 (for formal communications intended for entry)

**or:**

Hand delivered responses should be brought to Crystal Plaza 4, 2021 South Clark Place, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-0956.



K. Cyrus Kianni  
Primary Patent Examiner  
Group Art Unit 2883

**KAVEH KIANNI  
PRIMARY EXAMINER**

May 25, 2006